

(2026) 02 CCI CK 1590
In the Competition Commission Of India
Case No : Case No. 44 Of 2025

Kartikeya Rawal

APPELLANT

Vs

Inter Globe Aviation Limited

RESPONDENT

Date of Decision : 04-02-2026

Acts Referred:

Competition Act, 2002 — Section 3, 4, 4(2)(a)(i), 4(2)(b)(i), 10(2)(c), 19(1)(a), 19(4), 26(1)

Citation : (2026) 02 CCI CK 1590

Hon'ble Judges : Ravneet Kaur, Chairperson; Anil Agrawal, Member; Sweta Kakkad, Member; Deepak Anurag, Member

Bench : Full Bench

Final Decision : Disposed Of

Judgement

Order under Section 26(1) of the Competition Act, 2002

1. The present Information has been filed by the Kartikeya Rawal ('Informant') under Section 19(1)(a) of the Competition Act, 2002 ('Act'), against InterGlobe Aviation Limited ('Opposite Party' / 'OP' / 'IndiGo'), alleging contravention of the provisions of Section 4 of the Act.

2. The Informant has stated that IndiGo is India's largest airline carrier by fleet and market share. In the first week of December 2025, the airline cancelled hundreds of flights, causing an unprecedented disruption in the aviation industry, leaving lakhs of passengers stranded across the country with no means to return to their homes or make important business travels. Eyeing the opportunity, almost all other available airlines substantially increased the prices for seats across sectors.

3. As per the Information, on 04.12.2025, the Informant travelled from Bengaluru to Delhi and had booked a return journey on the Delhi-Goa-Bengaluru sector scheduled for 05.12.2025 on IndiGo Flight No. 6E 2063 with a connecting Flight No. 6E 6163, vide PNR No. X3PZUY, for INR.7,173/-. The return flights

were cancelled by IndiGo a few hours before the scheduled departure time, and no alternate travel arrangement was provided by them. Thus, the Informant had to make his own arrangements. Upon trying to book alternate flights, the informant observed that apart from the seats offered by the other airlines, the seats being offered by IndiGo were being offered at a much higher fare than the usual fare on the same sectors.

4. Informant further submitted that in his own limited experience of being a flyer, the fares were much above average when compared with the fares of flights on the same sectors during the same week last year or the average ticket fare in the preceding 3 months. Because of this, even the Informant had to wait for 2 days and then finally travel back to Bangalore on a much more expensive fare of INR 17000/- on a different flight operated by IndiGo. This conduct of IndiGo of cancelling its own flights on its own accord and then overcharging the customers is an abuse of dominance and prohibited under the provisions of the Act.

5. With the permission of the Chairperson, the matter was considered in the ordinary meeting of the Commission held on 18.12.2025, and the Commission vide order of even date decided to forward a copy of the Information to the OP, directing it to file its reply within two (2) weeks from receipt of the order. The OP was also directed to furnish, inter alia, within the same period, details relating to aircrafts deployed and market share for Financial Year ('FY') 2023-24 and FY 2024-25, slot availability and market share at various domestic airports, overall market share in terms of revenue and seat capacity, route-wise data on flights affected and fares during 1st-15th December 2025, identification of sole-operator routes, comparative fare analysis with previous periods, information on fare caps and dynamic pricing, underutilised slots at major airports and access offered to rivals, remedial measures adopted to address consumer issues, and details of bookings permitted on routes already cancelled in advance.

6. Additionally, vide separate order dated 18.12.2025, and, for further appreciation of the matter, the Commission decided to seek from the Directorate General of Civil Aviation ('DGCA'), within a period of two (2) weeks from the date of receipt of the said order, inter alia, information relating to the domestic aviation market structure and market shares for FY 2023-24 and FY 2024-25; airline-wise capacity, passenger traffic and month-wise passenger data for the year 2025; identification of routes where IndiGo operated as the sole airline; year-wise revenue details of airlines from FY 2021-22 to FY 2024-25; route-wise and category-wise average fares during the period from 1-15 December 2025; and details of routes and passengers affected by the disruptions along with comparative fare data of IndiGo and competing airlines.

7. IndiGo submitted its response on 12.01.2026 (dated 10.01.2026), wherein instead of furnishing replies to the queries raised by the Commission, it has contended that the subject matter of the Information does not fall within the jurisdiction of the Commission, requesting that no further action be taken in the matter. IndiGo has further prayed that the Commission should first adjudicate

upon and pass an order on the issue of jurisdiction and the submissions raised in its response before proceeding any further with the captioned matter.

8. In support of its objections, IndiGo has, inter alia, submitted that the subject matter of the case is squarely covered under the Bhartiya Vayuyan Adhiniyam, 2024 ('BVA') and the Aircraft Rules, 1937, under which the DGCA has exclusive jurisdiction to adjudicate the issues raised. According to IndiGo, the BVA read with the Aircraft Rules constitutes a complete, comprehensive and self-contained regulatory regime governing the civil aviation sector, including matters relating to excessive pricing, unfair practices and oligopolistic behaviour, and provides adequate checks and balances to address potential market distortions. It has further submitted that fixation of airfares is subject to continuous regulatory oversight and intervention by the Ministry of Civil Aviation and the DGCA, including imposition of fare ceilings and pricing norms in the public interest, thereby demonstrating that airfare regulation squarely lies within the regulatory domain of the DGCA.

9. IndiGo has further contended that where Parliament has enacted a specialised and complete regulatory framework such as the BVA, the jurisdiction of the Commission stands impliedly excluded even in respect of allegations of abuse of dominance, and any parallel or concurrent exercise of jurisdiction would be legally untenable. It has been submitted that the Competition Act does not empower the Commission to examine the adequacy or effectiveness of sectoral regulatory frameworks and, therefore, any intervention by the Commission in matters falling within the exclusive remit of the DGCA would amount to an impermissible assumption of jurisdiction. IndiGo has also argued that the BVA, being a subsequent and specialised legislation, impliedly overrides the Act in respect of matters expressly governed thereunder.

10. IndiGo has additionally submitted that where a sectoral statute provides adequate and effective remedies for its contravention, recourse to the Act is neither necessary nor warranted, particularly when the DGCA is vested with substantive regulatory, enforcement and penal powers under the BVA and the Aircraft Rules. It has further contended that any residual individual consumer grievances relating to service outcomes, such as flight cancellations or consequential pricing concerns, are appropriately redressed under the Consumer Protection Act, 2019, and do not give rise to a cause of action under the Act.

11. DGCA provided its response vide email dated 13.01.2026, wherein it, inter alia, stated that, as per the prevailing regulatory framework, airfares are not regulated by the DGCA and that the DGCA has not been vested with economic regulatory powers in respect of civil aviation and air transport services under the BVA. DGCA further stated that, in terms of Rule 135 of the Aircraft Rules, 1937, every air transport undertaking operating in accordance with sub-rules (1) and (2) of Rule 134 is required to establish its tariff having due regard to all relevant factors, including cost of operation, characteristics of service, reasonable profit and generally prevailing tariff. It was further submitted that DGCA ensures

compliance with Rule 135(2) of the Aircraft Rules, 1937 by mandating airlines to publish their tariff sheets on their respective websites, with a view to ensuring transparency for passengers.

12. DGCA further provided details of the domestic passenger aviation market for FY 2023– 24 and FY 2024–25, including overall capacity, passenger distribution, number of operating airlines and airline-wise market shares. DGCA also provided airline-wise and route-wise passenger data (in numbers) for FY 2023–24 and FY 2024–25, along with airline-wise month-wise passenger data for the period from January to November 2025 (provisional). In addition, DGCA provided information on routes exclusively operated by IndiGo for the months of September, October, and November 2025, as well as year-wise revenue details for airline operators for the period from FY 2021–22 to FY 2024– 25.

13. With respect to the request seeking route-wise (domestic) and category-wise (premium and economy) average fares charged by all airlines during the period from 1st to 15th December 2025, as well as identification of routes and the number of passengers affected due to disruptions during the said period along with comparative fare data of IndiGo and competing airlines, DGCA stated that the requisite data is not within its domain. Accordingly, DGCA informed that the matter had been taken up with the major airlines to furnish the information sought. DGCA further stated that, in response thereto, M/s SpiceJet, Air India, Air India Express and Akasa had submitted their respective responses. However, Indigo, vide email dated 07.01.2026, had sought additional time for submission of the requisite data.

14. After considering the Information, the reply filed by the OP, and the response received from the DGCA in the ordinary meeting held on 21.01.2026, the Commission decided to pass an appropriate order in due course.

15. On perusal of the allegations contained in the Information, it is observed that the Informant is essentially aggrieved by the alleged conduct of IndiGo in cancelling its own flights at its own instance and thereafter charging excessive fares to customers, which is alleged to constitute abuse of dominant position and to be in contravention of the provisions of the Act.

16. Before adverting to the merits of the case, it would be appropriate to deal with the preliminary issues raised by OP in its reply challenging the jurisdiction of the Commission in the present matter.

17. IndiGo, in its reply, has contended that the allegations raised in the Information squarely fall within the regulatory domain of the DGCA and that the very issues sought to be examined by the Commission are already under consideration before the DGCA. It has been submitted that the BVA read with the Aircraft Rules constitutes a complete, comprehensive and self-contained regulatory framework governing the civil aviation sector, including matters relating to excessive pricing, unfair practices and oligopolistic conduct, and provides specific checks and balances to address potential anti-competitive

practices resulting in market harm.

18. IndiGo has further argued that where Parliament has consciously enacted a specialised and exhaustive regulatory regime such as the BVA, the jurisdiction of the Commission in respect of allegations of abuse of dominance stands impliedly excluded, and any parallel or concurrent assumption of jurisdiction would be legally untenable, a position which, according to IndiGo, finds support in the judgment of the Hon'ble Delhi High Court in *Monsanto Holdings Private Limited v. CCI*, LPA No. 247/2016. It has also relied upon the decision of the Hon'ble Supreme Court in *Bharti Airtel Limited v. CCI* [2018] 14 S.C.R., wherein it was recognised that sectoral regulators are expert bodies vested with specialised technical competence and comprehensive statutory powers to examine and assess issues arising within their respective regulatory domains.

19. Before dealing with the issue as to whether CCI has the jurisdiction, the Commission deems it appropriate to revisit the observations of the Hon'ble Supreme Court in *Bharti Airtel Limited vs CCI* (2019) 2 SCC 521. The Hon'ble Court did not oust the jurisdiction of the CCI outrightly, rather, upon stating the objects and purpose for setting up of CCI, held :

" 109. To this extent, the function that is assigned to CCI is distinct from the function of TRAI under the TRAI Act.... The Competition Act is also a special statute which deals with anti-competition. It is also to be borne in mind that if the activity undertaken by some persons is anti-competitive and offends Section 3 of the Competition Act, the consequences thereof are provided in the Competition Act."

20. The Hon'ble Court further referred to its previous decision in *Haridas Exports* [Haridas Exports v. All India Float Glass Manufacturers' Assn., (2002) 6 SCC 600, wherein it was held that where statutes operate in different fields and have different purposes, it cannot be said that there is an implied repeal of one by the other.

21. In the aforementioned judgment, the Hon'ble Supreme Court while rejecting the submission that the jurisdiction of CCI is ousted, recognised the specific role of the CCI under the Competition Act, 2002 and held

"112.....Even if TRAI also returns a finding that a particular activity was anti-competitive, its powers would be limited to the action that can be taken under the TRAI Act alone. It is only CCI which is empowered to deal with the same anti-competitive act from the lens of the Competition Act. If such activities offend the provisions of the Competition Act as well, the consequences under that Act would also follow..."

22. In view of such explicit observations of the Hon'ble Supreme Court, the Commission is of the view that it has the jurisdiction to look into the alleged conduct of IndiGo and examine the case within the mandate of the Act. Likewise, the reliance placed on the decision of the Hon'ble Delhi High Court in *Monsanto*

Holdings Private Limited v. CCI is also misplaced, as the said judgment does not operate as a bar on the exercise of jurisdiction by the Commission in the facts and circumstances of the instant case and the ratio laid down in the judgment of Bharti Airtel Limited vs CCI.

23. The Commission also observes that it has, in the past, examined matters pertaining to the aviation sector involving allegations of cartelisation, abuse of dominant position and unfair pricing practices. The aviation sector has never been treated as immune from the application of competition law merely on account of being subject to regulatory supervision by the DGCA. Sectoral regulation and competition law operate in distinct but complementary domains, each addressing different regulatory objectives.

24. The Commission further observes that IndiGo has also placed reliance on Rule 135(4) of the Aircraft Rules, which vests the DGCA with the authority to issue binding directions in instances involving excessive or predatory pricing, or other practices that may distort the market. In this regard, Rule 135 is reproduced below

135. Tariff –

(1) Every air transport undertaking operating in accordance with sub-rule (1) and (2) of rule 134, shall establish tariff having regard to all relevant factors, including the cost of operation, characteristics of service, reasonable profit and the generally prevailing tariff.

(2) Every air transport undertaking shall cause to be published the tariff established by him under sub-rule (1) in his website or two daily newspapers, and shall display such tariff in a conspicuous part of his office and in the office of his agent, if any.

(2A) The tariff to be published under sub-rule (2) or advertised in any other way shall show the following particulars, namely: –

(a) the total amount payable by a passenger; and

(b) a complete break-up of the total amount, indicating the fare, tax, fees or any other charge, if any, separately. Explanation. – For the purposes of this sub-rule, – (a) tax means the amount payable to the Government; and (b) fees means the amount payable to the service providers for provision of any service or facility to the passengers.

(2B) The particulars mentioned in sub-rule (2A) shall also be mentioned in the passenger ticket.

(3) Every air transport undertaking shall maintain all records relating to tariff established by him under sub-rule (1) in such manner and in such form as may be specified by the Director-General, and on demand by the Director-General shall produce such records before the Director-General for inspection.

(4) Where the Director-General is satisfied that any air transport undertaking has established excessive or predatory tariff under sub-rule (1) or has indulged in oligopolistic practice, he may, by order, issue directions to such air transport undertaking.

(5) Every direction issued under sub-rule (4) shall be complied with by such air transport undertaking.

25. A holistic reading of Rule 135 shows that it is concerned with the establishment, publication and transparency of tariffs by air transport undertakings. Sub-rules (1) to (3) prescribe the manner in which tariffs are to be formulated, disclosed and maintained, while sub-rule (4) empowers the DGCA to issue directions where it is satisfied that an airline has established an excessive or predatory tariff or has indulged in oligopolistic practices. The nature of this power is corrective and supervisory, aimed at ensuring compliance with tariff-related norms. The power under Rule 135(4) cannot be equated with, nor does it amount to, a determination of abuse of dominant position or anti-competitive conduct within the meaning of Sections 3 and 4 of the Act. Accordingly, the mere use of expressions such as "excessive", "predatory" or "oligopolistic" in Rule 135(4), by itself, does not confer competition law jurisdiction upon the DGCA. Consequently, any reliance on Rule 135(4) is misplaced.

26. The Commission further observes that the DGCA, in its response, has clarified that it has not been conferred with economic regulatory powers in respect of civil aviation and air transport services under the BVA. While DGCA discharges sector-specific regulatory functions such as licensing, safety oversight and operational supervision, it does not undertake competition law analysis, including delineation of the relevant market, assessment of dominance and its alleged abuse, examination of coordinated conduct or evaluation of appreciable adverse effect on competition.

27. The Commission notes that under the BVA, the Central Government is empowered to make rules under Section 10(2) (c) of the said Act inter alia on the economic regulation of civil aviation and air transport services etc, however in view of the discussion above, the BVA does not oust the jurisdiction of the Commission. The existence of regulatory or penal remedies under the BVA does not, by itself, oust or bar the jurisdiction of the Commission under the Act. Remedies under competition law are directed towards preserving the competitive process, protecting market structure and preventing distortions in the marketplace, which are objectives distinct from sectoral regulation. Accordingly, the Commission finds no merit in the jurisdictional objections raised by IndiGo.

28. The Commission now proceeds to analyse the allegations within the framework of Section 4 of the Act. For analysing the cases within this framework, to begin with, the relevant market is required to be delineated, followed by assessment of dominance, and thereafter, the abusive conduct is to be examined.

29. The Commission observes that the disruptions of flights by OP were not

confined to one or a few routes but occurred almost simultaneously across a wide network of domestic origin–destination pairs. Cancellations and delays affected passengers flying between many different origins and destinations at the same time, creating a system-wide capacity shock. In such a situation, the harm is no longer confined on this route versus that route; rather, the conduct constrains the overall ability of consumers to use domestic air travel as a mode of transport, regardless of which specific pair of cities they want to fly between. The impact was felt across multiple routes and hubs, and passengers on different routes were all affected by a common constraint. Hence, it is appropriate to treat the relevant product market as “market for domestic air passenger transport services” and to define the relevant geographic market as the whole of India. Hence, the relevant market appears to be “market for domestic air passenger transport services in India”.

30. After delineation of the relevant market, the next step would be to determine the dominance of OP in the same. While adverting to the issue of dominance, certain factors are taken into consideration as enshrined under Section 19(4) of the Act. In this regard, the Commission notes the submissions of the DGCA. DGCA has provided airline-wise data on passenger (in numbers), capacity indicators (Available Seat Kilometres — ASKM), and market share for the financial years 2023-24 and 2024-25 as presented below:

Table 1 Domestic passenger aviation market for the financial year 2023-2024

Airline
Passenger (In numbers)
ASKM (IN 000)
Passenger Market Share
ASKM Market Share
INDIGO
9,46,27,784
10,26,12,126
61.6
60.6
AIR INDIA
1,49,82,654
1,76,73,475
9.7
10.4

VISTARA

1,43,81,508

1,68,49,050

9.4

10.0

AIX CONNECT

1,04,82,064

1,22,02,470

6.8

7.2

SPICEJET

78,92,153

86,24,583

5.1

5.1

AKASA AIR

68,45,064

75,21,614

4.5

4.4

ALLIANCE AIR

16,24,872

8,84,698

1.1

0.5

AIR INDIA EXPRESS

13,64,335

15,30,663

0.9

0.9

GO AIR

8,77,076

9,16,509

0.6

0.5

STAR AIR

4,17,839

3,64,775

0.3

0.2

FLYBIG

1,55,542

1,00,468

0.1

0.1

INDIA ONE AIR

22,440

7,946

0.0

0.0

FLY91

1,351

1,396

0.0

0.0

Total

15,36,74,682

16,92,89,772

100.0

100.0

Table 2 Domestic passenger aviation market for the financial year 2024-2025

Airline
Passenger (In numbers)
ASKM (IN 000)
Passenger Market Share
ASKM Market Share
INDIGO
10,42,47,077
11,30,20,119
63.0
60.8
AIR INDIA
2,24,95,187
2,74,35,414
13.6
14.8
AIR INDIA
1,04,92,062
1,26,29,984
6.3
6.8
EXPRESS
VISTARA
93,78,683
1,11,09,891
5.7
6.0
AKASA AIR
76,83,824
96,95,012

4.6

5.2

SPICEJET

53,05,995

59,09,555

3.2

3.2

AIX CONNECT

37,60,720

46,24,893

2.3

2.5

ALLIANCE AIR

12,84,387

6,67,518

0.8

0.4

STAR AIR

6,77,627

5,61,043

0.4

0.3

FLY91

1,70,523

1,19,468

0.1

0.1

INDIA ONE AIR

28,615

11,385

0.0
0.0
FLYBIG
16,992
13,258
0.0
0.0
Total
16,55,41,692
18,57,97,540
100.0
100.0

31. As seen from Table 1 and Table 2, IndiGo is a significant market player not only in terms of absolute passenger numbers carried, but also in terms of Available Seat Kilometres (ASKM) passenger capacity, reflecting its substantial scale of operations and capacity deployment in the domestic aviation market. IndiGo consistently accounts for approximately 60–61% of total domestic ASKM, which reflects not only passenger volumes but effective control over market capacity and supply-side conditions. The domestic passenger aviation market exhibits very high and increasing concentration, exhibiting that leading firms possess the ability to operate independently of competitive forces, as the presence of effective rivals is materially constrained.

32. As per the press release dated 01.08.2024 <https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=2040417®=3&lang=2> issued by the Ministry of Civil Aviation (MoCA), Government of India, with a view to enhancing regional air connectivity, the Ministry implemented the Route Dispersal Guidelines (RDGs), under which different regions of the country were classified into Categories I, II, II-A and III routes. Category-I routes were defined as those having a flying distance exceeding 700 km, an average seat factor above 70%, and annual traffic of at least five lakh passengers across two full scheduling seasons.

33. DGCA has provided airline-wise and route-wise passenger data (in numbers) for FYs 2023–24 and 2024–25. The relevant data pertaining to Category-I routes is set out below:

Table 3 Passenger Traffic on Category-I Routes

Financial Year

Total Passenger Traffic (Both Directions)

IndiGo Passenger Traffic (Both Directions)

FY 2023–24

4,46,72,269

2,20,73,612

FY 2024–25

4,62,27,839

2,34,35,798

34. For FY 2023–24, the aggregate passenger traffic across the twenty Category-I routes (in both directions) stood at 4,46,72,269 passengers, out of which IndiGo accounted for 2,20,73,612 passengers. Likewise, in FY 2024–25, total passenger traffic on these twenty Category-I routes (both directions) was 4,62,27,839 passengers, with IndiGo carrying 2,34,35,798 passengers, reflecting an approximate market share of around 50% in both periods. IndiGo's substantial presence on these high-density and revenue-critical routes indicates significant economic strength and extensive network coverage on key city pairs.

35. The DGCA provided details of routes exclusively operated by IndiGo for the months of September, October and November 2025. On the basis of the data so provided, it is observed that IndiGo operated as the sole carrier on 333 routes in September, 346 routes in October and 339 routes in November 2025, thereby reflecting exclusive presence on more than 330 routes during the relevant period. Further, the data for FY 2024–25 indicates that, out of approximately 835 city-pair routes operating during 2024–25 (as per information available on the DGCA website [https://www.dgca.gov.in/digigov-portal/?baseLocale=en_US?page=jsp/dgca/InventoryList/dataReports/aviationDataStatistics/airTransport/domestic/yearly/29/Normal/TABLE%205.0120\(INDIAN%20CITY-WISE%20PASSENGER%20TRAFFIC\).pdf&mainundefined](https://www.dgca.gov.in/digigov-portal/?baseLocale=en_US?page=jsp/dgca/InventoryList/dataReports/aviationDataStatistics/airTransport/domestic/yearly/29/Normal/TABLE%205.0120(INDIAN%20CITY-WISE%20PASSENGER%20TRAFFIC).pdf&mainundefined)), IndiGo was present on 643 routes, of which it operated exclusively on about 330 routes. IndiGo's exclusive operations across a substantial number of city pairs demonstrate extensive network coverage coupled with limited competitive presence in a significant segment of the market. Such structural presence on a large number of monopoly routes constitutes a relevant indicator of market power.

36. DGCA provided year-wise revenue details of airline operators for the period from FY 2021-22 to FY 2024-25. The comparative analysis of the net profitability of scheduled airlines indicates a pronounced asymmetry in financial performance across the market. IndiGo is the only major airline reporting substantial and sustained net profits during FY 2023-24 and FY 2024-25, whereas most other airlines continue to incur losses. This persistent profitability reflects superior financial resilience and economic strength.

37. As per the information available on the respective websites of IndiGo <https://www.goIndiGo.in/about-us.html> and Air India <https://www.airindia.com/in/en/experience/airindia-fleet.html>, IndiGo operates the largest fleet with over 400 aircraft, which is significantly higher than that of its nearest competitor, Air India, which operates a fleet of approximately 191 aircraft.

38. Therefore, on the basis of substantial and sustained market share, wide network reach with exclusive operations on a significant number of city-pair routes, comparatively larger fleet and strong financial performance, the Commission is of prima facie view that OP enjoys a position of dominance in the relevant market delineated supra.

39. While adverting to the alleged abuse of dominance perpetrated by the OP, it is averred in the Information that on 04.12.2025, the Informant travelled to Delhi from Bangalore and had booked return flight on IndiGo for a sum of INR 7,173. It is alleged that the said return flights were cancelled by the OP a few hours prior to the scheduled departure, without providing any alternate travel arrangements. Consequently, the Informant was compelled to make alternative arrangements on his own. Upon attempting to book alternative flights, the Informant noticed that, apart from limited seats available on other airlines, the fares offered by the OP on the same sectors were significantly higher than the usual fares. Owing to the non-availability of reasonably priced alternatives, the Informant had to wait for two days and eventually travelled back to Bengaluru on another flight operated by the OP at a substantially higher fare of INR 17,000.

40. It has been further alleged by the Informant that in the month of December, IndiGo cancelled hundreds of flights, causing heavy surge in prices of seats across sectors as well as huge inconvenience to passengers. The Commission notes that the case of the Informant is not a standalone instance. This issue has also been widely reported in the public domain. The aforesaid brings out widespread inconvenience caused to travelers at large due to sudden and massive cancellation of flights with little or no alternatives available. The passengers were left stranded with severely limited options, while fares escalated sharply following the cancellation of 2,507 flights and delays in 1,852 flights, thereby affecting more than three lakh passengers across various airports. As per the press release dated 17.01.2026 <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2215709®=3&lang=1> issued by the MoCA, a fine of 22.20 crore rupees was imposed on IndiGo for the large-scale delays and cancellations reported during the period from 3rd to 5th December 2025.

41. It is observed that passengers who had booked tickets were left with no real choice but to accept last-minute cancellations. Further, passengers were left to seek alternatives, on their own, at significantly higher prices. Given IndiGo's dominant position, consumers were effectively locked in and lacked viable alternatives which appears to be in violation of the provisions of Section 4(2)(a) (i) of the Act.

42. Additionally, by cancelling thousands of flights constituting a significant portion of the scheduled capacity, IndiGo effectively withheld its service from the market, creating an artificial scarcity, limiting consumer access to air travel during peak demand. Such conduct by a dominant enterprise may be viewed as restricting the provision of services under Section 4(2)(b)(i) of the Act.

43. The afore-detailed conduct of the OP seems to be prima facie causing an appreciable adverse effect on competition in India. Thus, the Commission is of the opinion that a prima facie case of contravention of the provisions of Sections 4(2)(a)(i) and 4(2)(b)(i) of the Act by the OP is made out in the present matter.

44. Accordingly, in terms of the provisions contained in Section 26(1) of the Act, the Commission directs the Director General (DG) to cause an investigation to be made into the matter and submit an investigation report within a period of 90 days from the date of receipt of this order.

45. It is also made clear that nothing stated in this order shall tantamount to a final expression of opinion on the merits of the case, and the DG shall conduct the investigation without being swayed in any manner whatsoever by the observations made herein.

46. Before parting with the order, the Commission observes that data from various sources have been relied upon in this order. It is clarified that nothing used in this order shall be deemed to be confidential or deemed to have been granted confidentiality, as the same have been used for the purposes of the Act, in terms of the provisions contained in Section 57 thereof.

47. The Secretary is directed to send a copy of this order, along with the material available on record, to the Office of DG forthwith. The Secretary is further directed to send a copy of this order to the OP, accordingly.